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| 09/387,534 | 08/31/1999 | FELIKS DUJMENOVIC | 0100.9901020 | 2713 |

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| EXAMINER | |
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| ART UNIT | PAPER NUMBER |
|---|---|
| 2614 | |

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73

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/387,534 | DUJMENOVIC ET AL. | |
| | Examiner | Art Unit | |
| | Annan Q Shang | 2614 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *06 May 2003* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-12* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

## DETAILED ACTION

### *Claim Objections*

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1 and 8 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification does not provide adequate support to substantiate the notion that fields of video from two separate channels can occur "adjacent in time" as claimed. There is no disclosure regarding the synchronization of multiple channels with respect to their vertical blanking intervals. However, the limitation "adjacent in time" appears to require synchronization or at the very least, a circumstance whereby two independently broadcast channels, are in synchronization by chance. A circumstance which by highly unlikely.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-11 rejected under 35 U.S.C. 102(e) as being anticipated by **Dangschat (5,173,777).**

As to claims 1, note the **Dangschat** reference figure 1, discloses a circuit configuration for inset-image keying in a television set having only one tuner and further discloses a method of tuning a system. The claimed method comprising...is met as follows: Tuner 1, switches over two frequencies, tunes to a first frequency, and receives an image or picture and stores in half-frame memory device 8, note figure 1, col. 4, line 34-col. 5, line 2 and line 14-40, note that half-frame "a first field of video associated with the first frequency" is stored, and tunes to a second frequency and receives an image or picture and stores in half-frame memory device 6, "a second field of video...second frequency, and where the period of time in which switchover device 4 switches to the small-image signal route 20 is selected to be precisely long enough for tuner 1 to jump to the tuning frequency for the second program, for a new half image to be inscribed in the small-image memory device 6 and for the tuning frequency of tuner 1 to jump back to the first program, note col. 5, line 55-col. 6, line 17.

As to claim 2, 3 and 7, note Dangschat inherently teaches switching to a first and second frequencies during the vertical blanking interval, since images are not received during the blanking intervals and further teaches providing a second frequency indicator to the tuner 1 prior to the step of tuning tuner 1 to a second frequency, note col. 4, lines

34-43, note that the switching over between the two frequencies is accomplished by a control signal which may be stored in a control device 9.

As to claims 4, Dangschat further discloses alternating reception of the first half-image of the large-image and the half-image of the small-image at tuner 1 in a time maximum time period of 100 msec., hence teaches also alternating reception in approximately 1.2 milliseconds.

As to claims 5 and 6, Dangschat further discloses a method comprising switching over at a correct time in such a manner to allow storing of image A and B in memory and "repeated readout of the most recently stored" large/small image as a new half–image or frame is inscribed in the memory devices 6 and 8, note col. 5, line 63-col. 6, line 17, since the switching over causes alternative storing of half-images of large/small image A and B. Hence, the first field, second and third fields as claimed, are retrieve and displayed and are adjacent frames of a common video image or picture and displayed simultaneously on display device 30, note further that the switching over causes no half-image being transmitted at the second frequency after the first data of the first large-image and before the first data of the small image.

As to claim 8, note the **Dangschat** reference figure 1, discloses a circuit configuration for inset-image keying in a television set having only one tuner and further discloses a method of providing video. The claimed method comprising...is met as follows: Tuner 1, switches over two frequencies, tunes to a first frequency, and receives an image or picture and stores in half-frame memory device 8, note figure 1, col. 4, line 34-col. 5, line 2 and line 14-40, note that half-frame "a first field of video associated with

the first frequency" is stored, and tunes to a second frequency and receives an image or picture and stores in half-frame memory device 6, "a second field of video...second frequency, and where the period of time in which switchover device 4 switches to the small-image signal route 20 is selected to be precisely long enough for tuner 1 to jump to the tuning frequency for the second program, for a new half image to be inscribed in the small-image memory device 6 and for the tuning frequency of tuner 1 to jump back to the first program, note col. 5, line 55-col. 6, line 17. Dangschat further discloses tuning tuner 1 to the first frequency and receives and stores images or pictures in half-frame device 6 or 8 and displays an image at location "A" "LARGE IMAGE" on display device 30 and displays an image at location "B" "SMALL IMAGE" note that the period of time in which switchover device 4 switches to the small-image signal route 20 is selected to be precisely long enough for tuner 1 to jump to the tuning frequency for the second program and provides full motion video sequence, note col. 6, lines 10-30.

As to claim 9, note the **Dangschat** reference figure 1, discloses a circuit configuration for inset-image keying in a television set having only one tuner and further discloses a method of displaying video comprising a tuner 1 that switches between a first received frequency and a second received frequency and stores half-image or frame, note figure 1, col. 4, line 34-col. 5, line 2, line 14-40 and col. 6, lines 10-30, and simultaneously displays the half-image or frame set as full motion video, note an image at location "A" "LARGE IMAGE" on display device 30 and an image at location "B" "SMALL IMAGE."

Claim 10 is met as previously discussed with respect to claim 4.

Claim 11 is met as previously discussed with respect to claims 5 and 6.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dangschat (5,173,777) as applied to claim 9 above.

As to claim 12, Dangschat teaches all the claim limitations as previously discussed with respect to claim 9, but fails to specifically teach simultaneously displaying the first half-image of the large-image and the half-image of the small-image on different display devices. However it well known to provide separate display devices when receiving two different motion video, hence the examiner submits it would have been clearly obvious to one of ordinary skill in the art to provide a separate display devices for the large/small image in order to permit another viewer to watch the other motion video on a separate display device.

***Response to Arguments***

7. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection discussed above. This is a Non-Final Office Action.

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Shafar (5,841,483) discloses the use of audio processing channel in a television receiver during a multipicture mode operation.

Baek (5,420,642) discloses apparatus and method for searching input picture in television receiver.

Duffield et al (5,398,074) disclose programmable picture-outside-picture display.

Iwasaki Yuji (JP404117783A) discloses simultaneous display device of TV multi-pattern.

Ogawa et al (JP361052080A) disclose a television receiver.

Ogawa et al (JP361050471A) disclose a television receiver.

Derwent (200016) discloses apparatus and method for controlling multi-channel video output by a single tuner.

Derwent (199001) discloses picture-in-picture TV receiver-shares either of two tuners for inset within sub-picture under time division control.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Annan Q Shang whose telephone number is 703-305-2156. The examiner can normally be reached on 700am-500pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Miller can be reached on 703-305-4795. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-5991 for regular communications and 703-746-5991 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service whose telephone number is 703-306-0377.

Annan Q. Shang
June 16, 2003

JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600